

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Zermatt Holdings, LLC, et al.,

Case No. 3:23-cv-1423

Plaintiffs,

v.

ORDER

Martin Christopher Cooper, et al.,

Defendants.

On July 24, 2023, Plaintiffs Zermatt Holdings, LLC and WFA of San Diego, LLC filed this action, asserting this court has original diversity jurisdiction over the matter. (Doc. No. 1 at 2).

For a district court to have original diversity jurisdiction over a case, complete diversity must exist between the parties to the dispute. 28 U.S.C. § 1332(a). To satisfy the diversity jurisdiction requirements, the dispute must be between citizens of different states. 28 U.S.C. § 1332(a)(1). “[A] limited liability company has the citizenship of each of its members.” *Delay v. Rosenthal Collins Grp., LLC*, 585 F.3d 1003, 1005 (6th Cir. 2009). Accordingly, “[w]hen diversity jurisdiction is invoked in a case in which a limited liability company is a party, the court needs to know the citizenship of each member of the company. And because a member of a limited liability company may itself have multiple members—and thus may itself have multiple citizenships—the federal court needs to know the citizenship of each ‘sub-member’ as well.” *Id.*

Plaintiffs have failed to satisfy this well-settled precedent. Because Plaintiffs have failed to identify their members and state jurisdictional allegations establishing the citizenship of each of their respective members, I cannot determine the citizenship of these LLC Plaintiffs and cannot conclude diversity jurisdiction was properly invoked. *See Delay*, 585 F.3d at 1005.

To maintain this action in federal court, Plaintiffs must supplement the Complaint by filing an affidavit of jurisdiction on or before August 31, 2023. In the affidavit, Plaintiffs must identify each of their members and sub-members. This “must be traced through however many layers of partners or members there may be.” *Meyerson v. Harrah’s E. Chicago Casino*, 299 F.3d 616, 617 (7th Cir. 2002). For each member and sub-member, Plaintiffs must state jurisdictional allegations sufficient for me to determine the citizenship of that member (e.g., the domicile of individuals, the place of incorporation and principal place of business of corporations).

So Ordered.

s/ Jeffrey J. Helmick
United States District Judge